

Serial Number No. 09/849,388

Docket No. 33858-CIP8-CNT2

Remarks/Arguments

Claims 1-36 remain for consideration in this application with claims 1, 10, 20, 31, 33, and 34 being in independent format. In view of the amendments and arguments herein, Applicants assert that the rejections of the Office Action dated March 26, 2003 have been overcome.

Claims 4, 12, and 21 have been amended to recite that the upper limit of the range is 99% rather than 100%. Such an amendment is supported inferentially by original claims 6, 13, and 23 wherein it is noted that another compound can comprise 1 wt. % to about 99 wt. % of the composition. Applicants assert that if another component can comprise 1 wt. % to about 99 wt. % of the composition, then the Formula I or Formula II compound can comprise the other 1 wt. % to about 99 wt. % of the composition. Accordingly, the rejection under 35 U.S.C. 112 for these claims has been overcome.

Claim 34 was amended to recite that it is a process for preparing a composition rather than a compound. Such an amendment cures the deficiency noted in the Action and Applicants assert that the portion of the rejection for claims 34-36 has been overcome.

Claim 10 was amended to recite that the (a) choice of the substituent R<sub>1</sub> bound to the N<sub>1</sub> atom of the Formula I structure can be a C<sub>1-8</sub> alkyl or alkoxyalkyl where the alkoxy is C<sub>2-4</sub>. Such an amendment overcomes the rejection under 35 U.S.C. 103(a) as neither Hart et al. nor Banasiak et al. teach or suggest such an alkyl group.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 19-0522.

In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

By 

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